

U.S. DEPARTMENT OF AGRICULTURE FOREST SERVICE TIMBER SALE CONTRACT (Applicable to Sales to be Measured before Felling)		Name of Purchaser	
National Forest Wallowa-Whitman	Ranger District Whitman	Region Pacific N-West	Contract Number
Sale Name Cornet Hazard Salvage		Award Date	Termination Date 12/31/2016

The parties to this contract are The United States of America, acting through the Forest Service, United States Department of Agriculture, hereinafter called Forest Service, and _____ hereinafter called Purchaser.

Forest Service having advertised a sale at which either (1) Purchaser, whose required bid deposit is now held by Forest Service as an initial deposit, was the successful bidder, or (2) no bids were received and Purchaser having subsequently offered at least the minimum advertised price and made an initial deposit in the same amount as the bid deposit specified in the sale advertisement; and the parties hereto desiring to record their agreement; now therefore,

Unless provided otherwise herein, Forest Service agrees to sell and permit Purchaser to cut and remove Included Timber and Purchaser agrees to purchase, cut, and remove Included Timber.

This contract consists of three Divisions: AT - Specific Conditions, BT - Standard Provisions, and CT - Special Provisions, together with Sale Area Map, Plans and specifications for developments (if any), and such attachments as may be provided for in Division CT. Specific Conditions are numbered and apply to the Part, Section, Subsection, or Item of the Standard Provisions, as indicated hereunder. Other conditions of this contract are stated in Division CT - Special Provisions.

IN WITNESS WHEREOF, the parties hereto have executed this contract as of the award date.

UNITED STATES OF AMERICA

Two Witnesses:^{1/}

(Name)

(Address)

(Name)

(Address)

By: _____
Contracting Officer

(Title)

By: _____^{2/}
(Purchaser)

(Title)

(Business Address)

I, ^{3/} _____, certify that I am the _____
 Secretary of the corporation named as Purchaser herein; that _____
 who signed this contract on behalf of Purchaser, was then _____
 of the corporation; that the contract was duly signed for and in behalf of the corporation by authority of its governing body, and is
 within the scope of its corporate powers.

**CORPORATE
SEAL** ^{4/}

INSTRUCTIONS:

- 1/ The signatures and addresses of two witnesses are required if Purchaser is other than a corporation.
- 2/ If Purchaser is a co-partnership, the signatures should be: XYZ Company, by John Doe, a member of the firm. If Purchaser is a corporation, form of signature should be: XYZ Company, by John Doe, President (or other officer or agent) and the seal of the corporation must be impressed or indicated.
- 3/ The certificate must be completed if Purchaser is a corporation.
- 4/ If the corporation has no corporate seal that fact shall be stated, in which case a scroll or adhesive seal shall follow the corporate name.

EXAMPLE 1/	
<div>Subcontractor Certification</div> <div>Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion</div>	
Timber Sale Name: _____ National Forest: _____	
The prospective subcontractor (participants in lower tier covered transactions) certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this timber sale by any Federal department or agency.	
Where the prospective subcontractor is unable to certify to any of the statements in this certification, such prospective subcontractor shall attach an explanation to this proposal.	
Name of Subcontractor: _____ Business Address: _____ _____	
_____	_____
Date	Signature
1/ It is the Purchaser's responsibility to have subcontractors complete this certification and to maintain a file of completed certifications. This certification does not need to be returned to the Forest Service, except at the written request of the Contracting Officer.	

The following conditions apply to the indicated portions of Division BT - Standard Provisions issued June 2006.

AT1 - Location and Area, applicable to BT1.1

This Sale Area of 3000 acres more or less is located in:

T.11S, R.39E, Sections 13, 14, 15, 23, 24, 25, 26, 34, and 35; T.11S., R.40E, Sections 16, 17, 18, 19, 20, 28, 29, 30, 31, 32, 33, and 35;

T.11S, R.41E, Sections 19, 20, 21, 29, and 30; T.12S, R.39E, Sections 1, 2, 3, 11, 12, and 13; T.12S, R.40E, Sections 1, 2, 3, 5, 6, 7, 8, 10, 11, 17,and 18; W.M. Surveyed Baker County, Oregon

AT2 - Volume Estimate and Utilization Standards, applicable to BT2.1, BT2.2, BT2.4, and BT6.4

Species	Product	Estimated Quantity *	Unit of Measure	Minimum Specifications				
				Merchantable Tree		Piece Required to be Removed		
				Diameter Breast High (d.b.h.) (inches)	Number of Minimum Pieces per Tree	Length (feet)	Diameter Inside Bark at Small End (inches)	Net Scale in % of Gross Scale
Douglas-fir and Western Larch	Sawtimber	2,944.00	CCF	10.0	1	8	8.0	40
Ponderosa Pine	Sawtimber	7,763.00	CCF	11.0	1	16	8.0	40
White Fir and Other	Sawtimber	2,511.00	CCF	10.0	1	8	8.0	40
Timber Subject to Agreement under CT2.11#								
Softwood Other	Grn Bio Cv	unestimated	CCF	7.0	1	12	4.0	N/A
Total Quantity		13,218.00	CCF					

* Quantities not included here are described in BT2.4.

AT3- Timber Designations, applicable to BT2.3; acres are approximate:

	Number	Acres
Clearcutting Units (BT2.31)		
Specified Road Clearing (BT2.32)		
Overstory Removal Units (BT2.33)		
Understory Removal Units (BT2.34)		
Individual Trees (BT2.35)		1,416
Incompletely Measured Payment Units (BT2.36)		

AT4 - Timber Payment Rates, applicable to BT3.1 and BT4.0

AT4a - For Species and Products to be Paid for at Rates Escalated under BT3.2

Not Applicable

AT4b- For Species and Products to be Paid for at Flat Rates

Species	Product	Unit of Measure	Rates per Unit of Measure				
			Base	Advertised	Bid Premium	Bid (Flat)	Required Deposits Slash Disposal
			\$	\$	\$	\$	\$
Douglas-fir and Western Larch	Sawtimber	CCF	3.00	26.06			.77
Ponderosa Pine	Sawtimber	CCF	1.00	19.00			.77
White Fir and Other	Sawtimber	CCF	3.00	24.59			.77
Timber Subject to Agreement under CT2.11#							
Softwood Other	Grn Bio Cv	CCF	.25	.25			

For purposes of convenience in collection and bookkeeping, Bid Rates stated in AT4 include payment of deposits for sale area betterment required pursuant to 16 USC 576b. Such deposits are not included as Required Deposits defined hereunder.

AT4c - Schedule of Payment Units

Pay- ment Unit No.	App rox. Acres	Quantity of Species and Products to be Escalated under AT4a	Total Tentative Payment \$	Quantity of Species and Products to be Paid for at Flat Rates under AT4b			Total Flat Rate Payment \$	Total Required Deposits for Slash Disposal \$
1	26			Douglas-fir and Western Larch	Sawtimber	99.00 CCF		167.09
				Ponderosa Pine	Sawtimber	83.00 CCF		
				White Fir and Other	Sawtimber	35.00 CCF		
				Total PU Quantity And Value		217.00 CCF		
10	40			Douglas-fir and Western Larch	Sawtimber	69.00 CCF		391.93
				Ponderosa Pine	Sawtimber	104.00 CCF		
				White Fir and Other	Sawtimber	336.00 CCF		
				Total PU Quantity And Value		509.00 CCF		
11	43			Douglas-fir and Western Larch	Sawtimber	100.00 CCF		322.63
				Ponderosa Pine	Sawtimber	315.00 CCF		
				White Fir and Other	Sawtimber	4.00 CCF		
				Total PU Quantity And Value		419.00 CCF		
12	45			Douglas-fir and Western Larch	Sawtimber	134.00 CCF		417.34
				Ponderosa Pine	Sawtimber	208.00 CCF		
				White Fir and Other	Sawtimber	200.00 CCF		
				Total PU Quantity And Value		542.00 CCF		
13	34			Douglas-fir and Western Larch	Sawtimber	141.00 CCF		294.91
				Ponderosa Pine	Sawtimber	209.00 CCF		
				White Fir and Other	Sawtimber	33.00 CCF		
				Total PU Quantity And Value		383.00 CCF		
14	31			Douglas-fir and Western Larch	Sawtimber	68.00 CCF		162.47
				Ponderosa Pine	Sawtimber	111.00 CCF		
				White Fir and Other	Sawtimber	32.00 CCF		
				Total PU Quantity And Value		211.00 CCF		
15	37			Douglas-fir and Western Larch	Sawtimber	46.00 CCF		121.66
				Ponderosa Pine	Sawtimber	92.00 CCF		
				White Fir and Other	Sawtimber	20.00 CCF		
				Total PU Quantity And Value		158.00 CCF		
16	40			Douglas-fir and Western Larch	Sawtimber	110.00 CCF		285.67
				Ponderosa Pine	Sawtimber	251.00 CCF		
				White Fir and Other	Sawtimber	10.00 CCF		
				Total PU Quantity And Value		371.00 CCF		
17	30			Douglas-fir and Western Larch	Sawtimber	41.00 CCF		149.38
				Ponderosa Pine	Sawtimber	28.00 CCF		
				White Fir and Other	Sawtimber	125.00 CCF		
				Total PU Quantity And Value		194.00 CCF		
18	71			Douglas-fir and Western Larch	Sawtimber	184.00 CCF		647.57
				Ponderosa Pine	Sawtimber	536.00 CCF		
				White Fir and Other	Sawtimber	121.00 CCF		
				Total PU Quantity And Value		841.00 CCF		

Payment Unit No.	App rox. Acres	Quantity of Species and Products to be Escalated under AT4a	Total Tentative Payment \$	Quantity of Species and Products to be Paid for at Flat Rates under AT4b			Total Flat Rate Payment \$	Total Required Deposits for Slash Disposal \$
19	8			Douglas-fir and Western Larch	Sawtimber	38.00 CCF		56.98
				Ponderosa Pine	Sawtimber	30.00 CCF		
				White Fir and Other	Sawtimber	6.00 CCF		
				Total PU Quantity And Value		74.00 CCF		
2	3			Douglas-fir and Western Larch	Sawtimber	2.00 CCF		7.70
				Ponderosa Pine	Sawtimber	8.00 CCF		
				White Fir and Other	Sawtimber	0.00 CCF		
				Total PU Quantity And Value		10.00 CCF		
20	55			Douglas-fir and Western Larch	Sawtimber	86.00 CCF		317.24
				Ponderosa Pine	Sawtimber	224.00 CCF		
				White Fir and Other	Sawtimber	102.00 CCF		
				Total PU Quantity And Value		412.00 CCF		
21	14			Douglas-fir and Western Larch	Sawtimber	46.00 CCF		152.46
				Ponderosa Pine	Sawtimber	46.00 CCF		
				White Fir and Other	Sawtimber	106.00 CCF		
				Total PU Quantity And Value		198.00 CCF		
22	71			Douglas-fir and Western Larch	Sawtimber	69.00 CCF		552.09
				Ponderosa Pine	Sawtimber	574.00 CCF		
				White Fir and Other	Sawtimber	74.00 CCF		
				Total PU Quantity And Value		717.00 CCF		
23	58			Douglas-fir and Western Larch	Sawtimber	94.00 CCF		669.90
				Ponderosa Pine	Sawtimber	648.00 CCF		
				White Fir and Other	Sawtimber	128.00 CCF		
				Total PU Quantity And Value		870.00 CCF		
24	42			Douglas-fir and Western Larch	Sawtimber	101.00 CCF		382.69
				Ponderosa Pine	Sawtimber	395.00 CCF		
				White Fir and Other	Sawtimber	1.00 CCF		
				Total PU Quantity And Value		497.00 CCF		
25	73			Douglas-fir and Western Larch	Sawtimber	155.00 CCF		490.49
				Ponderosa Pine	Sawtimber	293.00 CCF		
				White Fir and Other	Sawtimber	189.00 CCF		
				Total PU Quantity And Value		637.00 CCF		
26	66			Douglas-fir and Western Larch	Sawtimber	372.00 CCF		466.62
				Ponderosa Pine	Sawtimber	230.00 CCF		
				White Fir and Other	Sawtimber	4.00 CCF		
				Total PU Quantity And Value		606.00 CCF		
27	65			Douglas-fir and Western Larch	Sawtimber	220.00 CCF		444.29
				Ponderosa Pine	Sawtimber	357.00 CCF		
				White Fir and Other	Sawtimber	0.00 CCF		
				Total PU Quantity And Value		577.00 CCF		

Payment Unit No.	App rox. Acres	Quantity of Species and Products to be Escalated under AT4a	Total Tentative Payment \$	Quantity of Species and Products to be Paid for at Flat Rates under AT4b			Total Flat Rate Payment \$	Total Required Deposits for Slash Disposal \$
28	39			Douglas-fir and Western Larch	Sawtimber	54.00 CCF		360.36
				Ponderosa Pine	Sawtimber	414.00 CCF		
				White Fir and Other	Sawtimber	0.00 CCF		
				Total PU Quantity And Value			468.00 CCF	
29	45			Douglas-fir and Western Larch	Sawtimber	21.00 CCF		257.95
				Ponderosa Pine	Sawtimber	314.00 CCF		
				White Fir and Other	Sawtimber	0.00 CCF		
				Total PU Quantity And Value			335.00 CCF	
3	51			Douglas-fir and Western Larch	Sawtimber	18.00 CCF		174.02
				Ponderosa Pine	Sawtimber	208.00 CCF		
				White Fir and Other	Sawtimber	0.00 CCF		
				Total PU Quantity And Value			226.00 CCF	
30	39			Douglas-fir and Western Larch	Sawtimber	44.00 CCF		200.20
				Ponderosa Pine	Sawtimber	216.00 CCF		
				White Fir and Other	Sawtimber	0.00 CCF		
				Total PU Quantity And Value			260.00 CCF	
31	8			Douglas-fir and Western Larch	Sawtimber	0.00 CCF		98.56
				Ponderosa Pine	Sawtimber	128.00 CCF		
				White Fir and Other	Sawtimber	0.00 CCF		
				Total PU Quantity And Value			128.00 CCF	
32	27			Douglas-fir and Western Larch	Sawtimber	0.00 CCF		123.97
				Ponderosa Pine	Sawtimber	161.00 CCF		
				White Fir and Other	Sawtimber	0.00 CCF		
				Total PU Quantity And Value			161.00 CCF	
33	16			Douglas-fir and Western Larch	Sawtimber	0.00 CCF		49.28
				Ponderosa Pine	Sawtimber	64.00 CCF		
				White Fir and Other	Sawtimber	0.00 CCF		
				Total PU Quantity And Value			64.00 CCF	
34	32			Douglas-fir and Western Larch	Sawtimber	122.00 CCF		326.48
				Ponderosa Pine	Sawtimber	209.00 CCF		
				White Fir and Other	Sawtimber	93.00 CCF		
				Total PU Quantity And Value			424.00 CCF	
35	36			Douglas-fir and Western Larch	Sawtimber	42.00 CCF		197.12
				Ponderosa Pine	Sawtimber	41.00 CCF		
				White Fir and Other	Sawtimber	173.00 CCF		
				Total PU Quantity And Value			256.00 CCF	
36	2			Douglas-fir and Western Larch	Sawtimber	4.00 CCF		17.71
				Ponderosa Pine	Sawtimber	3.00 CCF		
				White Fir and Other	Sawtimber	16.00 CCF		
				Total PU Quantity And Value			23.00 CCF	

Pay- ment Unit No.	App rox. Acres	Quantity of Species and Products to be Escalated under AT4a	Total Tentative Payment \$	Quantity of Species and Products to be Paid for at Flat Rates under AT4b			Total Flat Rate Payment \$	Total Required Deposits for Slash Disposal \$
37	9			Douglas-fir and Western Larch	Sawtimber	29.00 CCF		58.52
				Ponderosa Pine	Sawtimber	2.00 CCF		
				White Fir and Other	Sawtimber	45.00 CCF		
				Total PU Quantity And Value			76.00 CCF	
4	40			Douglas-fir and Western Larch	Sawtimber	101.00 CCF		301.84
				Ponderosa Pine	Sawtimber	254.00 CCF		
				White Fir and Other	Sawtimber	37.00 CCF		
				Total PU Quantity And Value			392.00 CCF	
5	37			Douglas-fir and Western Larch	Sawtimber	5.00 CCF		150.92
				Ponderosa Pine	Sawtimber	190.00 CCF		
				White Fir and Other	Sawtimber	1.00 CCF		
				Total PU Quantity And Value			196.00 CCF	
6	19			Douglas-fir and Western Larch	Sawtimber	28.00 CCF		153.23
				Ponderosa Pine	Sawtimber	171.00 CCF		
				White Fir and Other	Sawtimber	0.00 CCF		
				Total PU Quantity And Value			199.00 CCF	
7	37			Douglas-fir and Western Larch	Sawtimber	61.00 CCF		321.09
				Ponderosa Pine	Sawtimber	126.00 CCF		
				White Fir and Other	Sawtimber	230.00 CCF		
				Total PU Quantity And Value			417.00 CCF	
8	44			Douglas-fir and Western Larch	Sawtimber	77.00 CCF		324.94
				Ponderosa Pine	Sawtimber	124.00 CCF		
				White Fir and Other	Sawtimber	221.00 CCF		
				Total PU Quantity And Value			422.00 CCF	
9	83			Douglas-fir and Western Larch	Sawtimber	163.00 CCF		560.56
				Ponderosa Pine	Sawtimber	396.00 CCF		
				White Fir and Other	Sawtimber	169.00 CCF		
				Total PU Quantity And Value			728.00 CCF	

The following definitions are established for the terms used in AT4:

- Base Rates** are the lowest rates of payment for timber that are authorized by this contract. Base Rates remain constant throughout the life of this contract and are not subject to change by rate redetermination, except for reduction under BT3.31, BT3.32, or BT3.33.
- Advertised Rates** are the minimum acceptable Bid Rates for timber, exclusive of Required Deposits. These rates are those indicated by appraisal, with a cost allowance made for construction of Specified Roads listed in AT7, but are never less than Base Rates.
- Bid Premium Rates** are the amounts by which Purchaser's bid is in excess of Advertised Rates. The Bid Premium Rates are constant during this contract, except as provided in BT3.31, BT3.32, and BT3.33.
- Bid Rates** are the rates bid by Purchaser (exclusive of Required Deposits for slash disposal and road maintenance) and are the sum of Advertised Rates and Bid Premium Rates. Until a rate redetermination becomes effective, the Bid Rate for species and products in AT4a is the Tentative Rate that is subject to quarterly adjustment under BT3.2; for species and products in AT4b, the Bid Rate is the Flat Rate.
- Required Deposits** are deposits that Purchaser may be required to pay for slash disposal (16 USC 490) and road maintenance (16 USC 537). Required Deposits may be adjusted as part of a rate redetermination or a Contract Term Extension. The table shows only Required Deposits for slash disposal; road maintenance deposits, if any, are given in CT5.32#.
- Base Index** is the specified average of the lumber or other product selling value index used as the basis for computing adjustment in rates for variance in product selling value, as provided in BT3.2.

AT5 - Indices Used in Quarterly Adjustment, applicable to BT3.2

Not Applicable

AT6 - High Stumps, applicable to BT6.412

Species	Product	Maximum Stump Height (inches)
All	All	12

AT7 - Specified Roads, applicable to BT5.2

Name and Date of Governing Road Specifications:

Project		Design Class	Approx. Length (mi./km.)	Sheet Numbers and Approval Date	Performance Responsibility		
Road No.	Name				Survey	Design	Construction Staking 1/

NOT APPLICABLE

1/ Indicate timing, i.e. before clearing (BC) or after clearing (AC). Applicable to BT5.212.

AT8 - Forest Service Engineering Completion Schedule, applicable to BT5.21

Road No.	Road Name	Type of Work	Completion Date

NOT APPLICABLE

AT9 - Fire Precautionary Period, applicable to BT7.2

April 01 to October 31, inclusive

AT10 - Purchaser Responsibility to Furnish Crews and Equipment for:

Initial Fire Supression, applicable to BT7.3

Within 5 road miles

Fire Suppression Reinforcement, applicable to BT7.312 and BT7.313

Within 100 road miles

AT11 - Purchaser's Obligation per Operations Fire, applicable to BT7.41

Maximum Amount: \$ 300,000

AT12 - Termination Date, applicable to BT8.2

December 31, 2016

AT13 - Normal Operating Season, applicable to BT6.31, BT6.66, BT8.21 and BT9.3

First Period: June 01 to October 31, inclusive

Second Period: December 01 to February 28, inclusive

AT14 - Performance Bond, applicable to BT9.1

Performance Bond Amount: _____

AT15 - Downpayment, applicable to BT4.211

Downpayment Amount: _____

AT16 - Periodic Payment Amount, applicable to BT4.213

	Periodic Payment Determination Date	Amount
Initial Payment:	<u>N/A</u>	<u>N/A</u>
Additional Payment:	<u>N/A</u>	<u>N/A</u>

AT17 - Market-Related Contract Term Addition Producer Price Index, applicable to BT8.212

Index Name: Not Applicable Index Number: N/A

AT18 - Inapplicable Standard Provisions

The following listed Sections, Subsections, or Items of Division BT - Standard Provisions - are hereby made inapplicable.
(Instructions: List by reference number and title.)

BT4.211	DOWNPAYMENT
BT4.4	PAYMENTS NOT RECEIVED

AT19 - List of Special Provisions

The following listed special provisions are attached to and made a part of this contract as Division CT. Provisions with reference numbers followed by # contain blanks into which data have been entered for this sale. (Instructions: List by reference number, title, and date.)

CT2.11#	TIMBER SUBJECT TO AGREEMENT (06/1972)
CT2.35# (OPTION 1)	INDIVIDUAL TREE DESIGNATION (06/2010)
CT4.211	DOWNPAYMENT (06/2007)
CT4.212	TEMPORARY REDUCTION OF DOWNPAYMENT (08/2009)
CT4.4	PAYMENTS NOT RECEIVED (08/2012)
CT5.12#	USE OF ROADS BY PURCHASER (06/1999)
CT5.31#	ROAD MAINTENANCE REQUIREMENTS (07/2001)
CT5.32#	ROAD MAINTENANCE DEPOSIT SCHEDULE (07/2001)
CT6.22#	PROTECTION OF IMPROVEMENTS (07/2001)
CT6.24#	SITE SPECIFIC SPECIAL PROTECTION MEASURES (04/2004)
CT6.315#	SALE OPERATION SCHEDULE (06/1994)
CT6.405	ALTERNATE REMOVAL OF INCLUDED TIMBER (05/2005)
CT6.41#	SPECIFIC REQUIREMENTS (01/2000)
CT6.42#	YARDING/SKIDDING REQUIREMENTS (06/2010)
CT6.6#	EROSION CONTROL AND SOIL TREATMENT BY PURCHASER (04/2014)
CT6.7	SLASH DISPOSAL (06/2008)
CT6.74#	SLASH TREATMENT REQUIREMENTS (02/2002)
CT6.8	MEASURING (08/2000)
CT6.84	ACCOUNTABILITY (06/2006)
CT6.84 (OPTION 1)	USE OF PAINT BY PURCHASER (05/2005)
CT7.1	PLANS (09/2004)
CT7.2	SPECIFIC FIRE PRECAUTIONS (09/2002)

CT7.201	BURNING BY PURCHASER (01/1993)
CT7.22	EMERGENCY FIRE PRECAUTIONS (09/2004)
CT8.13	DISCLAIMER OF EXPRESSED OR IMPLIED WARRANTY (09/2004)
CT8.66# (Option 1)	USE OF TIMBER (04/2004)
CT8.72	BIPARTITE LAND EXCHANGE (04/2004)